

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONALD E. DUDLEY,

Petitioner, :

Case No. 3:13-cv-058

- vs -

District Judge Timothy S. Black
Magistrate Judge Michael R. Merz

JASON BUNTING, Warden,

Respondent. :

**DECISION AND ORDER GRANTING IN PART AND DENYING IN
PART PETITIONER'S MOTION FOR COMPLETE COURT RECORD**

This habeas corpus case is before the Court on Petitioner's Motion Requesting Complete Court Record Be Supplied by Respondent (Doc. No. 6).

In the Order for Answer in this case, the Court provided:

Before filing the answer, the Respondent shall file those portions of the state court record needed to adjudicate this case, accompanied by an index of the documents in the record. When the record is filed electronically, the Court's CM/ECF filing system will affix a unique PageID number to each page of the record, displayed in the upper right-hand corner of the page. All papers filed in the case thereafter, by either party, including the answer and the exhibit index, shall include record references to the PageID number. Prior to filing the state court record, the Warden's counsel shall ensure that any borders on parts of the record (typically, court reporter transcripts) do not obscure the PageID number when the page is filed.

As required by Fed. R. Civ. P. 5, a complete copy of the answer and state court record must be served on Petitioner at the time of filing.

(Order, Doc. No. 3, PageID 159.) By this Order, Respondent is required to file with this Court so much of the state court record as Respondent believes is necessary to adjudicate the case and, as required by Fed. R. Civ. P. 5, to send Petitioner a copy of whatever is filed. If after reviewing what Respondent files and sends to him, Petitioner believes additional portions of the state court record are necessary to adjudicate the case, he may file a motion to have those additional portions filed and they will be sent to him by Respondent when filed. Petitioner does not have a right to be furnished in this case with any more of the record than is filed.

March 19, 2013.

s/ *Michael R. Merz*
United States Magistrate Judge